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13	Attorneys for Defendant	
14	Colorado Casualty Insurance Company	
15	IN THE UNITED STATES DISTRICT COURT	
16	FOR THE DISTRICT OF ARIZONA	
17	MICHAEL and KATHY HANNAPPEL,	No. CIV 12-02601-PHX-SRB
18	husband and wife,	10. CIV 12-02001-111X-5KD
19	Plaintiffs,	DEFENDANT COLORADO CASUALTY INSURANCE COMPANY'S
20	vs.	OBJECTIONS TO PLAINTIFFS' RULE 26 EXHIBIT DISCLOSURES
21	COLORADO CASUALTY	[Fod D Civ D 26(o)(2)(D)
22	INSURANCE COMPANY, a foreign	[Fed. R. Civ. P. 26(a)(3)(B)
23	insurer,	
24	Defendant.	
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1	OBJECTIONS TO PLAINTIFFS' IDENTIFIED WITNESSES, DEPOSITION
2	TESTIMONY AND EXHIBITS
3	
4	Pursuant to Federal Rule of Civil Procedure 26(a)(3)(B), defendant Colorado
5	Casualty Insurance Company ("Colorado Casualty") hereby objects to the admissibility of
6	certain witnesses, deposition testimony and trial exhibits disclosed by plaintiffs Michael
7	and Kathy Hannappel ("Plaintiffs") as follows:
8	
9	Objections to Witnesses
10	Colorado Casualty submits the following objections to witnesses identified
11	by Plaintiffs that will or may be offered at trial:
12	
13	7. Terri Carpenter
14	Debbie Stringer 18275 N. 59 th Ave., Suite 162, Bldg. K
15	Glendale, Arizona 85308
16	Colorado Casualty objects to these two witnesses as being cumulative
17	in violation of Federal Rule of Evidence 403, which prohibits the needless
18	presentation of cumulative evidence. Plaintiffs do not need to designate two
19	employees from Paseo Family Practice, in addition to Dr. Tartaglia-Kean (witness
20	#6 identified by Plaintiffs), to discuss medical records.
21	and records.
22	8. John J. Kresl, M.D., PhD.
23	Phoenix Cyber Knife & Radiation Oncology
24	4611 E. Shea Blvd., Suite 120 Phoenix, Arizona
25	602-441-3845
26	Colorado Casualty objects to this witness on the grounds that he lacks
27	personal knowledge to testify about the matters described in Plaintiffs' disclosure, in

violation of Federal Rules of Evidence 602 and 901. The witness's testimony is also

1	irrelevant under Federal Rule of Evidence 401 and improperly cumulative, in		
2	violation of Federal Rule of Evidence 403.		
3 4 5	14.	Ted Hannappel 7139 W. Rue De La Mar Peoria, Arizona 85381 602-339-1795	
6 7 8	15.	Gary Hannappel 1163 W. Dove Tree Avenue San Tan Valley, Arizona 85140 602-339-7480	
9 10 11 12	16.	Debbie Hannappel P.O. Box 1275 35339 South Pinnacle Place Black Canyon City, Arizona 85324 602-463-2090	
13 14	17.	Leslie Rohrdanz CA 916-390-7140.	
15 16 17	18.	Carol Adamo 26036 N. 11 th Avenue Phoenix, Arizona 602-256-4486	
18	Colo	rado Casualty objects to these five witnesses as being cumulative	
19	in violation of Federal Rule of Evidence 403, which prohibits the needless		
20	presentation of cumulative evidence. Plaintiffs do not need to designate five		
21	character witnesses to discuss Plaintiffs' trustworthiness and other characteristics.		
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25	violation of Feder	ral Rules of Evidence 602 and 901	
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Objection to Deposition Testimony

Pursuant to Federal Rules of Civil Procedure 32(b) and 26(a)(3)(B), Colorado Casualty hereby objects to the introduction at trial of the deposition testimony of Kristen Gulstrom and Alicia Aros Beausoleil (formerly Alicia Aros). Under Federal Rule of Civil Procedure 32(a), a party may only introduce a witness' deposition testimony in place of live testimony when the witness is unavailable to testify at trial. F.R.Civ.P. 32(a). Colorado Casualty intends to make these two witnesses available for trial, as is evident from Colorado Casualty's Rule 26(a)(3) disclosure, and plaintiff may therefore only use the deposition transcripts to impeach the witnesses' live testimony. Colorado Casualty objects to plaintiff using the deposition testimony of Ms. Gulstrom or Ms. Aros Beausoleil for any reason other than solely for impeachment.

Colorado Casualty also reiterates its objections, as noted on the record, to specific questions asked by Plaintiffs' counsel. Many of the questions were objectionable as to form, assumed facts not in evidence, were compound, were vague and/or ambiguous, and/or were otherwise deficient. Colorado Casualty reasserts the objections that counsel noted on the record during the live deposition.

Objections to Exhibits

Colorado Casualty submits the following objections to exhibits identified by Plaintiffs that will or may be offered at trial. The discovery cut-off has not passed as of the date of this filing. Colorado Casualty's objections to exhibits based on foundational grounds could potentially be remedied by further discovery. Moreover, Plaintiffs do not disclose their use for each identified document (nor were they required to), giving rise to many potential hearsay objections. For example, many of the identified medical records contain physicians' opinions, which were based on statements made by Mr. Hannappel. These documents contain multiple levels of hearsay for which there is no exception. Colorado Casualty, in an abundance of caution, submits its objections based on the

assumption that all documents are offered for the truth of the matter asserted therein, so as to preclude any argument that its objections have been waived.

4	Plaintiffs' Exhibit Description	Objection & Grounds
5	Fax to Gulstrom – TOCA 10/26/11 CCAS-CF 00001-00002	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
6	CCAS-C1 00001-00002	foundation for admitting this document
7		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
8		relating to Plaintiff Michael Hannappel's medical condition that could potentially be offered for their truth
9	Hannappel –Doc Request to Gulstrom &	Lacks foundation (FRE 901) - Plaintiffs do
10	Resp 00003-00004	not have a witness who can provide the foundation for admitting this document
11		into evidence; Hearsay (FRE 801) - The email exchange contains hearsay
12		statements that could potentially be offered for their truth
13	Hannappel –Tartaglia Progress Note "on job injury" rec'd 10/31/11	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
14	00005-00006	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
15		document contains hearsay statements relating to Plaintiff Michael Hannappel's
16		medical condition that could potentially be offered for their truth
17	Hannappel – NCS claim denied 00007	No Objection
18		
19	Corres – Gulstrom to Hannappel RE: denial	No Objection
20	0008	
21	Hannappel – Transcript of Recorded Statement of Michael Hannappel	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
22	Recorded Statement of Michael Hannappel Produced by Defendant on	foundation for admitting this document into evidence; Hearsay (FRE 801) – The
23	12/10/13 00009-00027	recorded statement and transcript contain hearsay statements by Mr. Hannappel that
24	00007 00027	could potentially be offered for their truth; Relevance (FRE 401) – Page 00009 is an
25		unrelated email relating to a different recorded statement.
		recorded statement.

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2 3	Daniel Clem – Transcript of Recorded Statement of Daniel Clem Recorded Statement of Daniel Clem	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
4	Produced by Defendant on 12/10/13 00028-00032	into evidence; Hearsay (FRE 801) - The transcript contains hearsay statements by Mr. Clem that could potentially be offered
5		for their truth.
6	Kaiser Fax to Gulstrom – Kaiser job description, KCI doors, OT memo, lite duty	Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's work-related injury that could
7	00033-00039	potentially be offered for their truth.
8	Corres – Kaiser to Hannappel RE: Overtime	Hearsay (FRE 801) - The document contains hearsay statements about Mr.
9 10	00040	Hannappel's job performance that could potentially be offered for their truth.
11	Hannappel – Light Duty 00041	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
12		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements
13 14		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth.
15 16	Fax to Kaiser – Re: Shoulder update off work 00042-00043	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
17		into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical
18		condition that could potentially be offered for their truth
19	Email cover sheet for time cards and daily logs	Hearsay (FRE 801) - The email contains hearsay statements that could potentially be
20	00044	offered for their truth.
21 22	Email- MRI report 00045	Hearsay (FRE 801) - The email contains hearsay statements relating to Mr. Hannappel's medical condition that could
23		potentially be offered for their truth.
232425	Hannappel – Kaiser Construction Daily Logs 00046-00052	Hearsay (FRE 801) - The document contains hearsay statements regarding scheduling and attendance that could potentially be offered for their truth.
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$1 \parallel$	Plaintiffs' Exhibit Description	Objection & Grounds
3	Hannappel – Tartaglia Progress Note "work related" 00053-00054	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
5		document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
6 7 8	MRI date stamped 10/14/11 00055-00057	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical
9 10		condition that could potentially be offered for their truth
11 12	Hannappel Fax to Gulstrom fax stamped RE: 10 years employment 00058-00059	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13 14		document contains hearsay statements relating to Mr. Hannappel's employment that could potentially be offered for their truth
15	Hannappel Fax to Gulstrom Re: Multiple Docs 00060	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
16 17	00000	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
18		document contains hearsay statements that could potentially be offered for their truth
19	Hannappel – Light duty 00061-00062	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
20		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
21		document contains hearsay statements relating to Mr. Hannappel's medical
22		condition that could potentially be offered for their truth
23 24	Tartaglia – Hannappel MRI 00063-00065	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
25		foundation for admitting this document
26		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
27		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
28		for their truth

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Kaiser – Job Description: Superintendent	Hearsay (FRE 801) - The document
3	00066-00068	contains hearsay statements relating to
		Kaiser's job description that could
4	H IF CITY D IVI	potentially be offered for their truth.
5	Hannappel Fax to Gulstrom Re: updated work restrictions (Off Duty) fax stamped	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
6	00069-00070	foundation for admitting this document
0		into evidence; Hearsay (FRE 801) - The
7		document contains hearsay statements
8		relating to Mr. Hannappel's medical
		condition that could potentially be offered
9	H 1 C 1 (1 1 1)	for their truth
10	Hannappel – Gulstrom hand notes 00071	Hearsay (FRE 801) - The document contains hearsay statements that could
11		potentially be offered for their truth
	Fax to Gulstrom – TOCA Records 1/6/12	Lacks foundation (FRE 901) - Plaintiffs do
12	00075-00084	not have a witness who can provide the foundation for admitting this document
13		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
14		relating to Mr. Hannappel's medical
		condition that could potentially be offered
15	Hannappel — NCS claim approved	for their truth
16	00085	No Objection
17		
	Hannappel — Average Monthly Wage	Lacks foundation (FRE 901) - Plaintiffs do
18	Calculation of Carrier 00086	not have a witness who can provide the foundation for admitting this document
19	00000	into evidence; Hearsay (FRE 801) - The
20		document contains hearsay statements that
		could potentially be offered for their truth
21	Hannappel — Light Duty (2 weeks) 00087	Lacks foundation (FRE 901) - Plaintiffs do
22	00007	not have a witness who can provide the foundation for admitting this document
23		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
		relating to Mr. Hannappel's medical
24		condition that could potentially be offered for their truth
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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Hannappel — Off Duty till further Evaluation	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3	00088	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
4		document contains hearsay statements relating to Mr. Hannappel's medical
5		condition that could potentially be offered for their truth
6 7	Tartaglia — Records date stamped 01/06/12 00091-00096	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
8		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
9		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
$\begin{vmatrix} 10 \\ 11 \end{vmatrix}$	UPS— Shipment Label 00096	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
12		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13		document contains hearsay statements that could potentially be offered for their truth; Relevance (FRE 401) - The document is
14		not relevant to any fact of consequence in this action
15	Tartaglia - Hannappel Progress Note 00102-00105	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
16 17		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements
18		relating to Mr. Hannappel's medical condition that could potentially be offered
19	TOCA — Hannappel Evaluation	for their truth Lacks foundation (FRE 901) - Plaintiffs do
20	00106-00110	not have a witness who can provide the foundation for admitting this document
21		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
22		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
23	Hannappel Fax to Sarkisov Re:Kaiser	Lacks foundation (FRE 901) - Plaintiffs do
24 25	paycheck stubs 00111-00119	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
26		document contains hearsay statements that could potentially be offered for their truth
27	ICA — Notice of Cancellation & Award 00130-00131	Privilege – Colorado Casualty withheld the document contained at page 00130 on privilege grounds.
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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	TOCA — Fax Cover Sheet Re: Physical	Lacks foundation (FRE 901) - Plaintiffs do
3 4	Therapy Autho 00133-00134	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical
5		condition that could potentially be offered for their truth
6	Gateway Surgery Center — Operative	Lacks foundation (FRE 901) - Plaintiffs do
7	Report 00135-00136	not have a witness who can provide the foundation for admitting this document
8		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
9		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
11	TOCA — Hannappel Physical	Lacks foundation (FRE 901) - Plaintiffs do
12	Examination 00142-00143	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13		document contains hearsay statements relating to Mr. Hannappel's medical
14		condition that could potentially be offered for their truth
15	TOCA — Hannappel Medical Records Date stamped 02/14/12	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
16 17	00151-00153	foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements
18		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
19	Gateway Surgery Center — Operative	Lacks foundation (FRE 901) - Plaintiffs do
20	Report 00154-00157	not have a witness who can provide the foundation for admitting this document
21		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
22		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
23	UPS— Mail Shipment Label	Lacks foundation (FRE 901) - Plaintiffs do
24 25	00158-00159	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
		document contains hearsay statements that
2627		could potentially be offered for their truth; Relevance (FRE 401) - The document is not relevant to any fact of consequence in
28		this action

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	TOCA — Hannappel Medical Records 00160-00161	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
5		document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered
		for their truth
6 7	ICA — Average Monthly Wage 00162	No Objection
8	TOCA — Fax to Gulstrom Traumatic	Leaks foundation (EDE 001). Plaintiffs do
9	Arthropathy 00163-00165	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
10		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
11		relating to Mr. Hannappel's medical condition that could potentially be offered
12		for their truth
13 14	Colorado Casualty — Gulstrom Ltr to Lederman 00166-00167	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence
15	TOCA — Hannappel Medical Records	Lacks foundation (FRE 901) - Plaintiffs do
16	00168-00169	not have a witness who can provide the foundation for admitting this document
17		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
18		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
19	Co. Casualty — Lederman to Gulstrom Ltr Re:Treatment Plan	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
20	00177-00179	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
21		document contains hearsay statements relating to Mr. Hannappel's medical
22		condition that could potentially be offered for their truth
23	TOCA — Physical Therapy Progress	Lacks foundation (FRE 901) - Plaintiffs do
24	Note Re: Pain Remains Same 00184-00193	not have a witness who can provide the foundation for admitting this document
25		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
2627		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Hannappel — Physical Progress Note	Lacks foundation (FRE 901) - Plaintiffs do
3	00194-00198	not have a witness who can provide the foundation for admitting this document
4 5		into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
6	TOCA — Physical Therapy Progress	Lacks foundation (FRE 901) - Plaintiffs do
7	00205-00207	not have a witness who can provide the foundation for admitting this document
8		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
9		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
11	TOCA — PT Continue/Progress Note	Lacks foundation (FRE 901) - Plaintiffs do
12	00208-00218	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13		document contains hearsay statements relating to Mr. Hannappel's medical
14		condition that could potentially be offered for their truth
15	TOCA — Hannappel Medical Records 00237-00238	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
16		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
17 18		document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
19	Tartaglia Note— neuro consult	Lacks foundation (FRE 901) - Plaintiffs do
20	00259-00260	not have a witness who can provide the foundation for admitting this document
21		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
22		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
23	PT evaluation	Lacks foundation (FRE 901) - Plaintiffs do
24 25	00273	not have a witness who can provide the foundation for admitting this document
26		into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical
27		condition that could potentially be offered for their truth
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1	Plaintiffs' Exhibit Description	Objection & Grounds
2 3 4 5	TOCA — Hannappel Medical Records 00301-00305	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
6	TOCA — PT Progress Report 00306-00312	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
7	00300-00312	foundation for admitting this document
8 9		into evidence; Hearsay (FRE 801) - The document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered
10		for their truth
11	Hannappel — Health Insurance Claim Form/PT Progress 00313-00319	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
12		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
13 14		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
15	Hannappel — Neurological Report 00320-00323	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
16 17		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements
18		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
19	ICA — Notice of Cancellation of	No Objection
20	Hearing 00324-00327	
21	Spratta email to Gulstrom Re: Hannappel	Lacks foundation (FRE 901) - Plaintiffs do
22	work condition 00328-00329	not have a witness who can provide the foundation for admitting this document
23		into evidence; Hearsay (FRE 801) - The
24		document contains hearsay statements that could potentially be offered for their truth
25	Gulstrom email to Sarkisov, G Re: DOS	Lacks foundation (FRE 901) - Plaintiffs do
26	payment 00346-00347	not have a witness who can provide the
27		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
28		document contains hearsay statements

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2		regarding supposedly unpaid bills that
3		could potentially be offered for their truth
4	TOCA — Fax to Gulstrom Re: FCE	Lacks foundation (FRE 901) - Plaintiffs do
5	request 00348-00349	not have a witness who can provide the foundation for admitting this document
6		into evidence; Hearsay (FRE 801) - The
7		document contains hearsay statements relating to Mr. Hannappel's medical
8		condition that could potentially be offered
9	Lederman Note	for their truth Lacks foundation (FRE 901) - Plaintiffs do
10	00350-00352	not have a witness who can provide the
		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
11		document contains hearsay statements
12		relating to Mr. Hannappel's medical condition that could potentially be offered
13		for their truth
14	FCE approved 00370-00372	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
15	00370 00372	foundation for admitting this document
16		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
17		relating to Mr. Hannappel's medical condition that could potentially be offered
18	Goldstein Fax to Gulstrom Re:	for their truth Lacks foundation (FRE 901) - Plaintiffs do
19	Functional Capacity Evaluation 00382-00399	not have a witness who can provide the foundation for admitting this document
20	00002 00077	into evidence; Hearsay (FRE 801) - The document contains hearsay statements
21		relating to Mr. Hannappel's medical
22		condition that could potentially be offered for their truth
23	NCS Close Claim 00410	No Objection
24		
	Sched Disability form	No Objection
25	00411	
26		

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	Plaintiffs' Exhibit Description	Objection & Grounds
2	TOCA — Lederman MMI 00413-00416	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3 4		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements
5		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
6	Letter to Gulstrom Re:Notice of Perm	Lacks foundation (FRE 901) - Plaintiffs do
7	Disability incorrect 00417-00420	not have a witness who can provide the foundation for admitting this document
8		into evidence; Hearsay (FRE 801) - The document contains hearsay statements
9 10		relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
11	TOCA — Hannappel Medical Records 00421-00424	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
12		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13 14		document contains hearsay statements relating to Mr. Hannappel's medical condition that could potentially be offered for their truth
15	TOCA — PT Progress Report	Lacks foundation (FRE 901) - Plaintiffs do
16	00425-00429	not have a witness who can provide the
17		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
18		document contains hearsay statements relating to Mr. Hannappel's medical
19		condition that could potentially be offered for their truth
20	Letter to Gulstrom Re:Request to	Lacks foundation (FRE 901) - Plaintiffs do
21	advance monthly LEC 00430-00431	not have a witness who can provide the foundation for admitting this document
22		into evidence; Hearsay (FRE 801) - The
23		document contains hearsay statements that could potentially be offered for their truth
24	Mailing Receipt's 00432-00434	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
25		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
26		document contains hearsay statements that could potentially be offered for their truth;
27 28		Relevance (FRE 401) - The document is not relevant to any fact of consequence in this action

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Email chain Re: Advance LEC 00435-00439	Hearsay (FRE 801) - The document
3	00433-00439	contains hearsay statements that could potentially be offered for their truth
4	Luci Cla Di LECD 11	•
5	Letter to Gulstrom Re: LEC Denial w/Fune Report 00440-00449	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
6		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
7		could potentially be offered for their truth
8	Gulstrom letter to Sarkisov Re: LEC reconsideration 00450-00451	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
9	ICA — Findings and Award for	No Objection
10	Unscheduled Permanent Partial Disability 00454-00460	
11	ICA - Memorandum	Lacks foundation (FRE 901) - Plaintiffs do
12	00457-00461	not have a witness who can provide the
13		foundation for admitting the email contained at page 00461 into evidence.
14	ICA — Request for Hearing	No Objection
15	00463	,
16	C 1 LEGD	H (FDF 901) TI 1
17	Cascade — LEC Report 00464-00468	Hearsay (FRE 801) - The document contains hearsay statements relating to Mr.
18		Hannappel's medical condition that could potentially be offered for their truth
19	ICA — Notice of Hearing (02/21/13) 00469-00470	No Objection
20		
21	ICA — Request for Hearing 00477	No Objection
22	00477	
23	Hannappel letter to Co. Casualty 00479	Lacks foundation (FRE 901) - Plaintiffs do
24	00+19	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
25		document contains hearsay statements that could potentially be offered for their truth
26		^ *

1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Sarkisov letter to Gulstrom with Lederman 10/26 — date stamped	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3	11/28/11 00508-00513	foundation for admitting this document
4	00308-00313	into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
5	ICA — Notice of Hearing (02/14/12) date stamped 11/28/12	No Objection
7	00514-00515	
8	ICA — Request for Hearing 00516-00518	Relevance (FRE 401) - The document at page 00518 is not relevant to any fact of consequence in this action
9	Fax to Gulstrom Re:Kaiser/Hannappel	Lacks foundation (FRE 901) - Plaintiffs do
10	Attorney Letter 00519-00528	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
11 12		document contains hearsay statements relating to Mr. Hannappel's medical
13		condition that could potentially be offered for their truth
14	Cascade — LEC Report 00529-00533	Hearsay (FRE 801) - The document contains hearsay statements relating to Mr.
15		Hannappel's medical condition that could potentially be offered for their truth
16	ICA — Notice Of Hearing (02/21/13)	No Objection
17	00534-00539	
18	Nayhouse/Gulstrom emai Is Re: FCE &	Lacks foundation (FRE 901) - Plaintiffs do
19	IME 00562-00566	not have a witness who can provide the foundation for admitting this document
20		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
21		could potentially be offered for their truth; Privilege – Colorado Casualty withheld the
22		documents contained at pages 00562-0563 on privilege grounds.
23	Payment ledger CCAS-CF00636-645	Hearsay (FRE 801) - The document
24	COLID CI 00030 013	contains hearsay statements that could potentially be offered for their truth
25	Claim notes CCAS-CF00646-00675	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
26	CC115-C1 000T0-00013	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
27		document contains hearsay statements that could potentially be offered for their truth
28		could potentially be offered for their truth

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	Plaintiffs' Exhibit Description	Objection & Grounds
2	Dr. Lederman medical records and COR declaration	Hearsay (FRE 801) - The document contains hearsay statements relating to Mr.
3	TOCA SDT 00013-00036, 00088-104;	Hannappel's medical condition that could
4	00110-113; 00189-196	potentially be offered for their truth
5	00205-207	
6	EXCERPTS FROM GULSTROM'S TRAINING MATERIALS	
7	DISCLOSED BY DEFENDANT	
8	Excerpts from the ICA claims manual CCAS- 00001, CCAS-00089-00091	No Objection
9	,	
10	A.R.S. §23-1047 CCAS- 0052-13	No Objection
11		
12	A.R.S. §23-1061, 1062 CCAS-00513-517	No Objection
13		
14	R20-5-163 CCAS-00618-621	No Objection
15		
16	WC-NHT state specific Q&A guide — state of Arizona	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
17	CCAS-01056, 01061, 01068, 01069	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
18		document contains hearsay statements that could potentially be offered for their truth;
19		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
20		document is not relevant to any fact of consequence in this action;
21	2011/2012 Best Practices	No probative value (FRE 403) Lacks foundation (FRE 901) - Plaintiffs do
22	CCAS- 00625-00640	not have a witness who can provide the foundation for admitting this document
23		into evidence; Hearsay (FRE 801) - The
24		document contains hearsay statements that could potentially be offered for their truth;
25		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
26		document is not relevant to any fact of consequence in this action;
27		No probative value (FRE 403)

1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Applying the workers' compensation	Lacks foundation (FRE 901) - Plaintiffs do
3	claim handling guidelines CCAS-00642-653	not have a witness who can provide the foundation for admitting this document
4		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
		could potentially be offered for their truth;
5		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
6		document is not relevant to any fact of consequence in this action;
7	Commercial lines workers' commercation	No probative value (FRE 403)
8	Commercial lines workers' compensation disabling claim handling guidelines	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
9	CCAS- 00657-668	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
10		document contains hearsay statements that could potentially be offered for their truth;
11		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
		document is not relevant to any fact of
12		consequence in this action; No probative value (FRE 403)
13	Applying the workers' compensation claim handling guidelines — facilitator	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
14	guide CCAS-00720-722	foundation for admitting this document
15	CCAS-00120-122	into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
16		could potentially be offered for their truth; Prejudice outweighs probative value (FRE
17		403); Relevance (FRÊ 401) - The document is not relevant to any fact of
18		consequence in this action; No probative value (FRE 403)
	Applying the workers' compensation	Lacks foundation (FRE 901) - Plaintiffs do
19	claim handling guidelines CCAS-00751	not have a witness who can provide the foundation for admitting this document
20		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
21		could potentially be offered for their truth;
22		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
23		document is not relevant to any fact of consequence in this action;
24		No probative value (FRE 403)

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1	Disin4iffa? Embibit Degenintion	Objection & Channels
	Plaintiffs' Exhibit Description	Objection & Grounds
2	Training exercise CCAS-00767-772	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3	00120 00107 112	foundation for admitting this document
4		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
		could potentially be offered for their truth;
5		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
6		document is not relevant to any fact of
7		consequence in this action;
7	The variable incentive plan	No probative value (FRE 403) Lacks foundation (FRE 901) - Plaintiffs do
8	CCAS- 01051-01055	not have a witness who can provide the
9		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
		document contains hearsay statements that
10		could potentially be offered for their truth; Prejudice outweighs probative value (FRE
11		403); Relevance (FRE 401) - The
12		document is not relevant to any fact of consequence in this action;
12		No probative value (FRE 403)
13	The variable incentive plan — US plan	Lacks foundation (FRE 901) - Plaintiffs do
14	document CCAS-01036-01050	not have a witness who can provide the foundation for admitting this document
		into evidence; Hearsay (FRE 801) - The
15		document contains hearsay statements that could potentially be offered for their truth;
16		Prejudice outweighs probative value (FRE
17		403); Relevance (FRÈ 401) - The document is not relevant to any fact of
		consequence in this action;
18	"Our success begins with you" VIP plan	No probative value (FRE 403) Lacks foundation (FRE 901) - Plaintiffs do
19	CCAS-01052	not have a witness who can provide the
20		foundation for admitting this document into evidence; Hearsay (FRE 801) - The
		document contains hearsay statements that
21		could potentially be offered for their truth; Prejudice outweighs probative value (FRE
22		403); Relevance (FRE 401) - The
23		document is not relevant to any fact of
		consequence in this action; No probative value (FRE 403)
24	Gulstrom — objective setting and performance evaluation — mid year	Hearsay (FRE 801) - The document
25	CCAS-01005-01012	contains hearsay statements that could potentially be offered for their truth;
26		Prejudice outweighs probative value (FRE
		403); Relevance (FRE 401) - The document is not relevant to any fact of
27		consequence in this action; No probative value (FRE 403)
28		110 probative value (FRE 403)

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1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Gulstrom objective setting and performance evaluation — year end	Hearsay (FRE 801) - The document contains hearsay statements that could
3 4	CCAS-00997-1004	potentially be offered for their truth; Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
5		document is not relevant to any fact of consequence in this action;
6		No probative value (FRE 403)
7	Gulstrom handwritten notes CCAS-CF0071	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
8		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
9		could potentially be offered for their truth
10	Notice of (unscheduled) permanent disability	No Objection
11	M H0086	
12 13	Paseo SDT 00003	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
14	Dr. Tortaglia racerda	1
15	Dr. Tartaglia records 00020-00029	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
16 17	Dr. Tartaglia SDT 00146-148	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
18	Dr. Tartaglia	Hearsay (FRE 801) - The document
19	Paseo SDT 00152-154	contains hearsay statements that could potentially be offered for their truth
20	Daily reports August —September 2011	Lacks foundation (FRE 901) - Plaintiffs do
21	Kaiser SDT 21-59	not have a witness who can provide the foundation for admitting this document into avidence: Hearsay (ERE 801). The
22		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
23	Unemployment application	Lacks foundation (FRE 901) - Plaintiffs do
24	Kaiser SDT 82-92	not have a witness who can provide the foundation for admitting this document
2526		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
20		

1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Unemployment appeal SDT 100-104	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3 4		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
		could potentially be offered for their truth
5	Sarkisov release authorizations KDBL 00195-196	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
$7 \parallel$		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
8		could potentially be offered for their truth
9	Decision Upon Hearing and Findings and Award for Unscheduled Permanent Partial Disability	No Objection
10	M H0802-807	
11	Entire claim file produced	Lacks foundation (FRE 901) - Plaintiffs do
12	CCAS-CF 00001-00635	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13 14		claim file contains multiple documents that contain hearsay statements that could potentially be offered for their truth
15	Tartaglia note re: neuro consult	Hearsay (FRE 801) - The document
16	CCAS-CF 00259-00260	contains hearsay statements that could potentially be offered for their truth
17	ICA — Notice of Average Monthly	No Objection
18	Wage 00330	
19	ICA — Findings & Award Approving Stipulation AMW	No Objection
20	00331-00335	
21	TOCA — Hannappel Prescription	Hearsay (FRE 801) - The document
22	"Continue Pt for Pain" 00339	contains hearsay statements that could potentially be offered for their truth
23	TOCA — Physical Therapy Progress Rpt 00340-00345	Hearsay (FRE 801) - The document
24	00340- 00343	contains hearsay statements that could potentially be offered for their truth
25	TOCA — Physical Therapy Progress	Hearsay (FRE 801) - The document
26	Report 00373-00377	contains hearsay statements that could potentially be offered for their truth
27		•

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$1 \mid$	Plaintiffs' Exhibit Description	Objection & Grounds
2 3	TOCA — Hannappel Medical Records 00378-00381	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
4 5	TOCA — PT Progress Report 00400-00404	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
6 7	TOCA — PT Progress Report 00405-00409	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
8 9	Supp Care 00412	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
10 11	ICA — Request for Hearing 00471-00472	No Objection
12 13 14	ICA — Applicant's Compensability Interrogatories to Defendant Employer (491-502 one Duplicate) 00480-00490	No Objection
15 16 17	Letter to Gulstrom Rule 31 IV 00506-00507	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
18 19 20	Purpose Ltr to Rockowitz 00548-00550	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
212223	Fax to Gulstrom — Hannappel IME 00551-00559	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
24252627	Certified Medical Consultants— Service Fee 00560-00561	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth

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	Plaintiffs' Exhibit Description	Objection & Grounds
$\frac{2}{2}$	Cascade — LEC Report 00596-00599	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3 4		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
5		could potentially be offered for their truth
6	Liberty Mutual — Hannappel letter 00608-00611	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
7		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
8	D 1	could potentially be offered for their truth
9	Relevant pages of the insurance policy CCAS-POL -00001, 00021-00022	No Objection
10	WC NAT State Specific Of A Guide	Locks foundation (EDE 001) Plaintiffs do
11	WC-NAT-State Specific Q& A Guide— State of Arizona (complete)	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
12	CCAS-010506-01113	foundation for admitting this document into evidence; Hearsay (FRE 801) - The
13		document contains hearsay statements that could potentially be offered for their truth;
14		Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
15		document is not relevant to any fact of consequence in this action; No probative value (FRE 403)
16	Claim handling guidelines—complete	Lacks foundation (FRE 901) - Plaintiffs do
17	Actual recording of Daniel Clem's recorded statement Actual recording Michael Hannappel's	not have a witness who can provide the foundation for admitting this document into evidence; Hearsay (FRE 801) - The
18	recorded statement Fune SDT	document contains hearsay statements that could potentially be offered for their truth;
19	CCAS-00641-996	Prejudice outweighs probative value (FRE 403); Relevance (FRE 401) - The
20		document is not relevant to any fact of consequence in this action;
21		No probative value (FRE 403); Misstatement of materials – Plaintiffs
22		contend that the documents contained at bates range 00641-996 are "claim handling"
23		guidelines," but this is an inaccurate description of the documents bearing those
24		bates numbers.
25	Hannappel resume and submission form 00119-125	Misstatement of materials – the bates range identified does not contain a prefix and the
26 27		document is not described with enough detail for Colorado Casualty to determine whether the document is objectionable
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1	Plaintiffs' Exhibit Description	Objection & Grounds
2 3	Dr. Tartaglia note Paseo SDT 00045-47	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
4	Dr. Taraglia's note 2/24/12	Hearsay (FRE 801) - The document
5	Paseo SDT 0058-59	contains hearsay statements that could potentially be offered for their truth
6	Email chain	Lacks foundation (FRE 901) - Plaintiffs do
7	Paseo SDT 00064	not have a witness who can provide the foundation for admitting this document
8		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
9	Dr. Tartaglia note	Hearsay (FRE 801) - The document
10	SDT 00073-75	contains hearsay statements that could potentially be offered for their truth
11 12	Dr. Kahlon Paseo SDT 00076-77	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
13 14	Dr. Tartaglia 00086-87	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
15 16	Dr. Altman Paseo SDT 00088-89	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
17 18	Dr. Altman Paseo SDT 00090-91	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
19 20	Dr. Altman Paseo SDT 00092-93	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
21 22	Dr. Tartaglia Paseo SDT 00101-103	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth
23	Dr. Tartaglia	Hearsay (FRE 801) - The document
24 25	Paseo SDT 00104-105	contains hearsay statements that could potentially be offered for their truth
26 27	Dr. Tartaglia Paseo SDT 00139-142	Hearsay (FRE 801) - The document contains hearsay statements that could potentially be offered for their truth

1	Plaintiffs' Exhibit Description	Objection & Grounds
2	Dr. Tartaglia	Hearsay (FRE 801) - The document
3	Paseo SDT 00143-144	contains hearsay statements that could potentially be offered for their truth
4	Check KDBL 000232	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
5 6		foundation for admitting this document into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
7		could potentially be offered for their truth; Misstatement of materials – the document
8		bearing bates label KBDL 000232 is not a check but a check display printout.
9	Priors list KDBL 000276-277	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
10		foundation for admitting this document into evidence and the document contains
11		unidentified handwriting for which no foundation has been laid; Hearsay (FRE
12		801) - The document contains hearsay statements that could potentially be offered
13		for their truth
14	ICA prior records Video of Ronald Lampert M.D. IME KDBL 000278-402	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
15	RDDE 000270 102	into evidence; Hearsay (FRE 801) - The
16		document contains hearsay statements that could potentially be offered for their truth
17	Email chain MH1065-1067	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
18	WIII1005-1007	foundation for admitting this document
19		into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
20		could potentially be offered for their truth; Partial Record – Plaintiffs identify a partial
21		email string that is not a complete record and page 1067 has not been produced in this action.
22	Em ell	
23	Email MH0968	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the foundation for admitting this document
24		into evidence; Hearsay (FRE 801) - The
25		document contains hearsay statement that could potentially be offered for their truth
26		

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1		Plaintiffs' Exhibit Description	Objection & Grounds
2		Email MH0969	Lacks foundation (FRE 901) - Plaintiffs do not have a witness who can provide the
3			foundation for admitting this document into evidence; Hearsay (FRE 801) - The
4			document contains hearsay statements that could potentially be offered for their truth
5		Email chain	Lacks foundation (FRE 901) - Plaintiffs do
6		MH1050-1051	not have a witness who can provide the foundation for admitting this document
7			into evidence; Hearsay (FRE 801) - The document contains hearsay statements that
8			could potentially be offered for their truth
9			
10	I	Dated: April 14, 2014	
11		SHEPPARD, MULLIN, RICHTER & HAMPTON LLP	
12			
13		Ву	/s/ Justine Casey
			JUSTINE CASEY
14			Attorneys for Defendant COLORADO CASUALTY INSURANCE

COLORADO CASUALTY INSURANCE **COMPANY**

CERTIFICATE OF SERVICE 1 2 I hereby certify that on April 14, 2014, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing 3 to the following CM/ECF registrants: 4 Robert J. Hommel 5 9304 East Raintree Drive Suite 100 6 Scottsdale, Arizona 85260 Attorney for Plaintiff 7 **Justine Casey** 8 Frank Falzetta 9 **David Dworsky** Sheppard, Mullin, Richter & Hampton 10 333 South Hope Street, 43rd Floor Los Angeles, California 90071 11 Attorneys for Defendants 12 13 /s/ David Dworsky 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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